

REMARKS

The above amendment along with the following remarks are being submitted as a full and complete response to the Official Action dated October 7, 2002, and the next period for response to which is set to expire on February 7, 2003.

Claims 1-22 are under consideration in this application. Claims 1-22 are being amended, as set forth above and in the attached marked-up presentation of the claim amendments, in order to more particularly point out and distinctly claim the subject invention. The substitute specification and the corrected Fig. 2 have been submitted as required by the Examiner. Applicant hereby submits that no new matter is being introduced into the application through the submission of this response.

In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Information Disclosure Statement

The Examiner objected to only listing the prior art references in the specification. An Information Disclosure Statement is filed herewith with the references cited in the specification but not listed in form PTO-892.

Informality Rejections

The drawings, title, specification were objected due to various informalities. A substitute specification in proper idiomatic English and corrected drawings are submitted herewith. In particular, reference numbers "1" and "6" have been changed to refer to the same subject, respectively, and "5" has been added to Fig. 2. However, "I-frames," "P-frames", and "B-frames" are terms defined in MPEG2 as shown in the reference included in the IDS and available at http://www.creativevideo.co.uk/reframe.php?url=http://www.creativevideo.co.uk/pages/cvp_info_mpeg2_dvd.htm. Since they do not denote to any specific subjects in the invention, there is no need to indicate them in the drawings.

In addition, claims 17-20 were objected as being improper multiple dependent claims, and the recitation of "any one of" is being inserted in front of the "claims".

Claims 1-4, 9-16, and 21-22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The recitations of “or the like,” “such as,” and “and/or” have been deleted in the relevant claims.

Accordingly, the withdrawal of the outstanding informality objections and rejections is in order, and is therefore respectfully solicited.

Prior Art Rejection

Claims 1-16 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,293,802 to Ahlgren. (hereinafter “Ahlgren”), and claims 21-22 have been rejected under 35 U.S.C. § 103(a) as being rendered obvious by Ahlgren in view of U.S. Pat. No. 6,456,938 to Barnard (hereinafter “Barnard”). These rejections have been carefully considered, but are most respectfully traversed, as more fully discussed below.

A body movement training method of the present invention, as now recited in claim 1, comprises: storing images of at least one trainer in a server; providing mobile image communication between a trainee and a server; taking at least one image of the trainee at a training or sport site; searching the server for at least one of the images of said trainer with a corresponding movement to said image of the trainee based upon a request of the trainee sent from a mobile image communication terminal via the mobile image communication to the server; sending said searched image of the trainer to the mobile image communication terminal via the mobile image communication; displaying side by side said searched image of said trainer and said image of the trainee on the mobile image communication terminal. The mobile image communication is implemented by a mobile network system, and Internet.

First of all, Applicant respectfully submits that none of the cited prior art references discloses, teaches or suggests “searching the server for at least one of the images of said trainer with a *corresponding movement* (page 12, line 7) to said image of the trainee based upon a request of the trainee sent from a **mobile image communication terminal** (Figs. 1-2; page 10, lines 10) via the mobile image communication to the server” as recited in claim 1 according to the invention.

Contrary to the Examiner’s allegation that Ahlgren teaches a user’s searching a server with a mobile image communication terminal to view the images in col. 10, lines 5-12, Applicants contend that one skilled in the art can’t derive such an conclusion as alleged based upon the cited paragraphs or any portions of Ahlgren. The cited portion in Ahlgren

(col. 10, lines 5-12) merely teaches a student accessing a capture station 104 but nothing about a user's searching a server with a mobile image communication terminal to view the images. The capture station 104 is a physical structure with camera(s) for capturing the swing motions of a student which is located in golf pro shops, driving ranges, shopping malls (col. 5, lines 29-33). Further, as admitted by the examiner on page 7 of the outstanding office action, the only wireless medium in Ahlgren is the interface 1624 which is not mobile. As such, Ahlgren does not teach any mobile image communication terminal.

The other cited references do not compensate for such a deficiency. For instance, Barnard discloses a mobile display 28 which, however, does not allow a user to request a search in a remote server or to display searched images from a remote server as requested by the user. As to Katayama (5,857,855), it fails to teach any no mobile image communication terminal or a step of searching images in a remote server as requested by a mobile image communication terminal and displaying searched images thereon.

Secondly, the Examiner relied upon the "common knowledge and common sense" of one skilled in the art for the motivation to combine the teachings in Ahlgren with the mobile display in Barnard did not fulfill the agency's obligation to cite references to support its conclusions. Instead, the Examiner must provide the specific teaching of such a combination on the record to allow accountability.

To establish a prima facie case of obviousness, the Board must, inter alia, show "some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." In re Fine, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). "The motivation, suggestion or teaching may come explicitly from statements in the prior art, the knowledge of one of ordinary skill in the art, or, in some cases the nature of the problem to be solved." Kotzab, 217 F.3d at 1370, 55 USPQ2d at 1317. Recently, in In re Lee, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002), we held that the Board's reliance on "common knowledge and common sense" did not fulfill the agency's obligation to cite references to support its conclusions. Id. at 1344, 61 USPQ2d at 1434. Instead, the Board must document its reasoning on the record to allow accountability. Id. at 1345, 61 USPQ2d at 1435.

See In re Thrift, 298 F.3d 1357.

Even if, arguendo, a person of ordinary skill were motivated to combine Ahlgren with the mobile display in Barnard, such a combination would still fall short in fully meeting the Applicants' claimed invention as set forth in claim 1 since, as discussed. Namely, there is no teaching of "searching images in a remote server as requested by a mobile image communication terminal and displaying searched images thereon" in the prior art.

Applicants contend that Ahlgren and its combinations with other references fail to teach or disclose each and every feature of the present invention as disclosed in independent claim 1. As such, the present invention as now claimed is distinguishable and thereby allowable over the rejections raised in the Office Action. The withdrawal of the outstanding prior art rejections is in order, and is respectfully solicited.

In view of all the above, clear and distinct differences as discussed exist between the present invention as now claimed and the prior art reference upon which the rejections in the Office Action rely. Applicant respectfully contends that the prior art references cannot anticipate the present invention or render the present invention obvious. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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Marked-up Version of Claims

1. A body movement training [searching] method [for a manner of moving a body in a sport using] comprising:

storing images of at least one trainer in a server;

providing mobile image communication between a trainee and a server;

taking at least one image of the trainee at a training or sport site;

searching the server for at least one of the images of said trainer with a corresponding movement to said image of the trainee based upon a request of the trainee sent from a mobile image communication terminal via the mobile image communication to the server;

sending said searched image of the trainer to the mobile image communication terminal via the mobile image communication;

displaying side by side said searched image of said trainer and said image of the trainee on the mobile image communication terminal,

[achieved by] wherein the mobile image communication[, comprising:] is implemented by [a multi-functional, high-performance mobile image communication terminal such as a portable telephone,] a mobile network system [such as a PDC or/and a PHS, a gateway for performing protocol conversion [or the like], and [the] Internet[,

one camera or a plurality of cameras for photographing a body action of a trainer such as a player actor, and a system for encoding video information of the camera to transfer the encoded information to a video server through a cable or/and wireless network circuit, and a system which receives various pieces of information of the body action and transfers the data to a data server through a cable or/and wireless network circuit, and

wherein an auditory user searches a data server by the mobile image communication terminal, and can see the data and video data related to the data on the same screen while automatically linking the data with each other].

2. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 1, wherein the [data of the data server or/and the video server is data

of a] trainer [such as] is a coach or an instructor, and [these data and the data or/and] the [video] images [of the trainee] are displayed side-by-side on the same screen of the mobile image communication terminal without being overlapped [and compared with each other, so as to make it possible to perform] for comparison and training.

5. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 1, [wherein, in means for causing a trainer to train a manner of moving a body for a trainee, the trainer searches] further comprising:
sending said image of the trainee to the server for storing;
searching for [two still] images of the trainee as requested by the trainer through mobile image communication [from] in the [video] server [or/and the data server on which the data of the trainee and displays the still images, and these still images are]; and
simultaneously displaying[ed] the searched images of the trainee [and] to be compared and examined [, so as to make the trainee to understand the] for difference between [both the] actions of the trainee.

6. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 2, [wherein, in means for causing a trainer to train a manner of moving a body for a trainee, the trainer searches] further comprising:
sending said image of the trainee to the server for storing;
searching for [two still] images of the trainee as requested by the trainer through mobile image communication [from] in the [video] server [or/and the data server on which the data of the trainee and displays the still images, and these still images are]; and
simultaneously displaying[ed] the searched images of the trainee [and] to be compared and examined [, so as to make the trainee to understand the] for difference between [both the] actions of the trainee.

5. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 1, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, any one of] one of the images of the trainer and the trainee [is]

comprises a set of [as a] moving [image] frames, and the other of the images is [set as] a still image[, so as to make the trainee to understand the relation between the images].

6. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 2, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, any one of] one of the images of the trainer and the trainee [is] comprises a set of [as a] moving [image] frames, and the other of the images is [set as] a still image[, so as to make the trainee to understand the relation between the images].
7. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 3, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, any one of] one of the images of the trainer and the trainee [is] comprises a set of [as a] moving [image] frames, and the other of the images is [set as] a still image[, so as to make the trainee to understand the relation between the images].
8. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 4, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, any one of] one of the images of the trainer and the trainee [is] comprises a set of [as a] moving [image] frames, and the other of the images is [set as] a still image[, so as to make the trainee to understand the relation between the images].
9. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 1, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].

10. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 2, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].
11. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 3, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].
12. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 4, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].
13. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication]

according to claim 5, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].

14. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 6, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].
15. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 7, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from] substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].
16. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim 8, wherein[, in means for causing a trainer to train a manner of moving a body for a trainee, a sport, an action, a movement, or the like performed by the same] said images of the trainee and of the trainer are [picked as images] taken at [from]

substantially the same place[, the images are reproduced without being overlapped on the same screen such as a mobile display, any one of the images is set as a moving image, and the other image is set as a still image, so as to make the trainee to understand the relation between the images].

17. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to any one of claims 1 to [5] 16, [wherein] further comprising: taking at least one other image of the trainee at the training or sport site after the trainee is trained by a trainer; and displaying side-by-side [the] said image of the [a sport, an action, a movement, or the like performed by a] trainee before the trainee is trained by [a] the trainer [is picked as an image, thereafter, the trainee picks a sport, an action, a movement, or the like performed] and said image of the trainee after the trainee is trained by the trainer [as an image from the same place, these images are reproduced without being overlapped on the same screen such as a mobile display, and the two images are simultaneously compared with each other and examined, so as] to [make the trainee to understand the degree of] demonstrate improvement.
18. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to any one of claims 1 to 16, wherein[, when a video moving] the displaying step includes displaying in at least one of the images of [a sport, an action, a movement, or the like of a] the trainer [or a] and the trainee is displayed [reproduced on a mobile display,] a line or a grid[-like line] serving as a reference [when the trainee sees the image is displayed on the image, so as to make the trainee to understand the] demonstrate a degree of [an act such as the sport, an action, or] a body movement.
19. [An automatic searching system obtained by mobile image communication] A body movement training method according to any one of claims 1 to [7]16, wherein the displaying step includes extracting in at least one of the [a moving image of a sport, an action, a movement, or the like of a trainer or a trainee is displayed on a mobile display as still] images [of respective frames,] a basic line [of a body] featuring moving parts of the trainee or the trainer for each frame contained therein[the frame is drawn on the

corresponding image along the image, the image on the screen is switched to the next frame while the basic line is left on the screen, a basic line of the body featuring the frame is drawn on the corresponding image along the image, the basic lines of the body featuring the subsequent frames are drawn on the corresponding images along the images, finally, the image of the sport, the action, the] so as to display a body movement [, or the like is erased, and only] with a plurality of basic lines [are displayed on one screen in place of the moving image, so as to make the trainee to understand the change of the basic lines of the body].

20. [An automatic searching system obtained by mobile image communication] A body movement training method according to any one of claims 1 to [8]16, wherein the displaying step includes [a video still image of a sport, an action, a movement, or the like of a trainer or a trainee is displayed on a mobile display or the like, and] displaying at least one of letters [or/]and symbols [are described] requested by the trainer [on a part of the video still image, so as] to make [the trainee to understand] a training point.
21. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim [1]3, wherein [sports, actions, movements, or the like at different places are simultaneously picked as images,] the searched images of the trainee are taken at different places[reproduced without being overlapped on the same screen of a mobile display, and the two images are simultaneously compared with each other, so as to make a trainee to understand the difference between both the images].
22. A body movement training [searching] method [for a manner of moving a body in a sport using mobile image communication achieved by mobile image communication] according to claim [2]3, wherein [sports, actions, movements, or the like] the images of the trainee are taken at substantially the same[different] place[s] [are simultaneously picked as images, the images are reproduced without being overlapped on the same screen of a mobile display, and the two images are simultaneously compared with each other, so as to make a trainee to understand the difference between both the images].